

APPENDIX.

PETITIONS AND MEMORIALS.

By Senator Collins:

Petition numerously signed by retail grocerymen of the city of Beaumont requesting the Legislature to enact a law prohibiting retail grocery stores from opening their places of business on Sunday for the purposes of trade or traffic.

By Senator Cowell:

Petition numerously signed by citizens of Gainesville, Cooke county, urging legislation permitting the Missouri, Kansas & Texas Railway Company of Texas leasing for a term of not less than twenty-five years, the Texas Central Railway Company and other subsidiary properties now operated by the Missouri, Kansas & Texas Railway Company of Texas.

By Lieutenant Governor Davidson:

Petition numerously signed by residents on the Orphan Branch of the Katy Railroad endorsing the proposed application of the Katy Railroad Company for an act empowering the last named company to lease and operate the Beaumont & Great Northern Railway.

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, January 16, 1913.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

Senate Concurrent Resolution No. 2. Providing that the Legislature proceed in the regular way provided by law, on Tuesday, January 28, 1913, to elect a United States Senator from Texas for the term beginning March 4, 1913, and to elect a United States Senator to fill the vacancy in said office created by the resignation of Senator Joseph W. Bailey.

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass, and be not printed.

VAUGHAN, Chairman.

Committee Room,
Austin, Texas, January 17, 1913.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed

Bills have carefully examined and compared

Senate bill No. 3, A bill to be entitled "An Act making appropriation for the support and maintenance of the Attorney General's Department for the remainder of the fiscal year ending August 31, 1913,"

And find the same correctly engrossed.
TERRELL, Acting Chairman.

Committee Room,
Austin, Texas, January 17, 1913.

Hon. A. B. Davidson, President of the Senate:

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 1, "An Act appropriating the sum of \$120,000, or so much thereof as may be necessary, out of the general revenue not otherwise appropriated, to pay the mileage and per diem of members, and per diem of officers and employees of the Thirty-third Legislature, and declaring an emergency,"

And find it correctly enrolled, and have this day, at 9:10 a. m., presented same to the Governor for his approval.

GIBSON, Chairman.

Committee Room,
Austin, Texas, January 17, 1913.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 2, "An Act appropriating \$20,000, or so much thereof as may be necessary, out of the general revenue not otherwise appropriated, to pay the contingent expenses of the Thirty-third Legislature, and declaring an emergency."

And find it correctly enrolled, and have this day, at 9:10 a. m., presented same to the Governor for his approval.

GIBSON, Chairman.

FIFTH DAY.

Senate Chamber,
Austin, Texas,
Monday, January 20, 1913.

The Senate met pursuant to adjournment and was called to order by Lieutenant Governor A. B. Davidson.

Roll call, a quorum being present, the following Senators answering to their names:

Astin.	Morrow.
Brelsford.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Hudspeth.	Warren.
Johnson.	Watson.
Kauffman.	Weinert.
Lattimore.	Westbrook.
McGregor.	Wiley.
McNealus.	Willacy.

Absent.

Bailey.	Real.
Greer.	

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of Friday, on motion of Senator Cowell the reading was dispensed with.

EXCUSED.

On account of important business:

Senator Bailey for today, on motion of Senator Gibson.

Senator Real for today, on motion of Senator Cowell.

PETITIONS AND MEMORIALS.

See Appendix for Petitions and Memorials.

STANDING COMMITTEE REPORTS.

See Appendix for Standing Committee Reports.

SPECIAL COMMITTEE REPORT.

Senator Watson offered the following special committee report:

Committee Room,

Austin, Texas, January 20, 1913.

Hon. Chester Terrell, Speaker of the House of Representatives, and Hon. A. B. Davidson President of the Senate.

Sirs: Your joint committee, appointed to make arrangements to count the vote and arrange for the inauguration of the Governor and Lieutenant Governor, beg leave to recommend that the House and Senate meet in joint session in the Hall of the House of Representatives on Monday, the 20th day of Janu-

ary, A. D. 1913, at 11 o'clock a. m., for the purpose of counting said votes, and that the House and Senate shall sit in joint session in the Hall of the House of Representatives on Tuesday, the 21st day of January, 1913, at 12 o'clock noon, at which time the joint committee will escort the Governor and Lieutenant Governor-elect to the Speaker's stand, and the oath of office will be administered to them by Judge T. J. Brown, Chief Justice of the Supreme Court.

WATSON.

NUGENT.

GIBSON.

On the Part of the Senate.

JORDAN.

HENRY of Wichita.

WOODS of Navarro.

ROBBINS.

FOUNTAIN.

On the Part of the House.

The above report was read and adopted.

BILLS AND RESOLUTIONS.

By Senator Gibson:

Senate bill No. 60, A bill to be entitled "An Act to authorize and empower Fannin county or any political subdivision of said county, by an affirmative vote of two-thirds of the resident property taxpayers, qualified voters of such county, or political subdivision thereof, voting thereon, to issue bonds to any amount, not exceeding one-fourth of the assessed valuation of the real property of such county or of such political subdivision, and to levy and collect taxes, to pay the interest on such bonds and to provide a sinking fund for the redemption thereof for the purpose of constructing, maintaining and operating macadamized, ballasted, gravelled or paved roads and turnpikes and prescribing ways and means of conducting and supervising said work, and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senators McNealus, Brelsford and Warren:

Senate bill No. 61, A bill to be entitled "An Act to preserve, propagate and protect the wild game, wild birds and wild fowl of the State, to provide adequate penalties for the unlawful taking, slaughter, sale, purchase or shipment thereof, to provide for the appointment of deputy game commissioners and fixing their salaries, to define the duties and powers of the Game, Fish and

Oyster Commissioner and his deputies; to fix the venue of prosecutions under this act; to provide for issuance of hunting licenses and prescribe penalties for hunting without license; to declare that certain moneys shall belong to the special game fund of this State, and the disposition to be made of said moneys, and to repeal all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time and referred to Judiciary Committee No. 2.

By Senator Carter:

Senate bill No. 62. A bill to be entitled "An Act to provide for the payment of salaries to all district attorneys and county and precinct officials, and providing that the fees to which they are now entitled shall be collected by them and paid into the county treasury of their respective counties, and abolishing the fees allowed district attorneys."

Read first time and referred to Judiciary Committee No. 1.

FIRST HOUSE MESSAGE.

Hall of the House of Representatives.
Austin, Texas, January 20, 1913.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted Special Joint Committee report arranging for counting the vote for Governor and Lieutenant Governor and request that the Senate meet in joint session with the House in the Hall of Representatives today at 11 o'clock a. m., for the purpose of counting said vote, and that the House and the Senate shall sit in joint session in the Hall of the House of Representatives on Tuesday, the 21st day of January, 1913, at 12 o'clock noon, to witness the inauguration of the Governor and Lieutenant Governor-elect.

Respectfully,

W. R. LONG.

Chief Clerk, House of Representatives.

SIMPLE RESOLUTION.

By Senator McGregor:

Be it Resolved, by the Senate of the Thirty-third Legislature;

Whereas, In all representative governments it is essential to the welfare of the people and the purity and stability of the government which they compose

that the people should at all times have an intimate knowledge of the fidelity, the economy, policies and efficiency of their public officers; and

Whereas, This knowledge can of necessity in certain instances only be obtained by recurring investigation, by proper authority, of those charged with the execution of the peoples' will and of the offices which they have been elected to administer; and,

Whereas, The Attorney General's Department of the State of Texas in the discharge of the functions of government devolved upon it by statute and organic law has exercised, and does exercise a jurisdiction and a power that should at all times be under the jealous eye and "eternal vigilance" of the people; and,

Whereas, No investigation has been had of such department and the people have been and are compelled to depend upon the ex parte and interested reports of those selected to fill this important position for information of its accomplishments and omissions; therefore, be it

Resolved, That the President of the Senate be and is hereby authorized to appoint a committee of five members, which said committee shall meet at the Capitol immediately after their appointment and shall be furnished with a stenographer and a clerk from the present force employed by the Senate and shall be assisted by the Sergeant-at-Arms when necessary. Said committee, or any member thereof, shall have the power to administer oaths and compel the attendance of witnesses and the production of papers and shall immediately proceed to thoroughly investigate the Attorney General's Department and all persons employed by said department for the five years next preceding January 1, 1913, as to the fidelity, policies, economy and efficiency of such department and of those employed by it.

The actual expense of said committee and officers and all witnesses shall be paid out of the contingent fund of the Senate; provided, that officers and witnesses shall not be paid more than is paid witnesses and officers in civil cases.

Said committee shall as soon as possible make an impartial investigation and shall report to the Senate its findings together with a resume of all the evidence heard by it.

The above resolution was read, and Senator McGregor moved its adoption.

Senator Lattimore moved, as a substitute, that the consideration of same be postponed until after the conclusion

of the morning call Wednesday, January 22.

Action recurred on the substitute motion first and the same was adopted by the following vote:

Yeas—17.

Astin.	McNealus.
Brelsford.	Morrow.
Conner.	Nugent.
Cowell.	Paulus.
Gibson.	Terrell.
Hudspeth.	Townsend.
Johnson.	Warren.
Kaufman.	Wiley.
Lattimore.	

Nays—8.

Carter.	Taylor.
Collins.	Vaughan.
Darwin.	Watson.
McGregor.	Westbrook.

Present—Not Voting.

Murray.	Willacy.
Weinert.	

Absent.

Greer.

Absent—Excused.

Bailey.	Real.
---------	-------

JOINT SESSION.

The Chair, at 11 o'clock a. m., January 20, announced that the hour had arrived for the Senate and House to meet in joint session to count the vote and prepare for the inauguration of the Governor and Lieutenant Governor, and, accordingly, the Senate repaired in order to the Hall of the House of Representatives.

IN JOINT SESSION.

COUNTING THE VOTE FOR GOVERNOR AND LIEUTENANT GOVERNOR.

At the hour of 11 o'clock a. m., fixed by concurrent action of the two houses for the Senate and House of Representatives to meet in joint session for the purpose of counting the votes cast for Governor and Lieutenant Governor in the general election held on Tuesday, the fifth day of November, A. D. 1912, the Honorable Senate were announced at the bar of the House, and, by direction of the Speaker, were admitted.

Escorted by the Sergeant-at-Arms of the Senate, M. F. Hornbuckle, and the Secretary of the Senate, W. V. Hower-ton, and the Journal Clerk of the Senate, R. M. Gilmore, the Senators advanced into the Hall, and, by direction of the Speaker of the House, occupied seats already prepared for them along the aisle.

The President of the Senate, Hon. A. B. Davidson, by invitation of the Speaker, occupied a seat on the Speaker's stand on the right of the Speaker.

The President of the Senate then directed the Secretary of the Senate to call the roll of the senate.

The roll of the Senate was called, and the following Senators answered to their names:

Astin.	Morrow.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Vaughan.
Gibson.	Warren.
Hudspeth.	Watson.
Johnson.	Weinert.
Kauffman.	Westbrook.
Lattimore.	Wiley.
McGregor.	Willacy.
McNealus.	

Absent.

Greer.	Real.
--------	-------

Murray.

Absent—Excused.

Bailey.

The President of the Senate announced a quorum of the Senate present.

The Speaker then directed the Clerk to call the roll of the House.

The roll was called, and the following members answered to their names:

Allison.	Cooper.
Eagby.	Cope.
Baker.	Cox of Delta.
Barrett of Jones.	Cox of Ellis.
Bartley.	Craven.
Boehmer.	Crisp.
Brown.	Davis.
Bruce.	Dickson.
Burges.	Diffie.
Rurmeister.	Dodson.
Burns.	Dove.
Butler.	Dunn.
Byrne.	Fields.
Calvin.	Flournoy.
Campbell.	Foster.
Chrestman.	Fountain.
Coffey.	Fuller.
Colquitt.	Furrh.

Gates.	Paddock.
Gentry.	Parks.
Glasscock.	Patton.
Grigga.	Powell.
Grindstaff.	Raiden.
Goodner.	Ratliff.
Hagins.	Feedy.
Hall.	Reeves.
Haney.	Rickerson.
Harp.	Ridgell.
Harris.	Ritchie.
Heilig.	Roach.
Henry of Bowie.	Robbins.
Henry of Wichita.	Robertson.
Herder.	Rogers.
Hill.	Ross.
Hornby.	Russell.
Householder.	Savage.
Hughes.	Schwegmann.
Humphrey.	Simpson.
Hunt.	Smith.
Hunter.	Spann.
Kelley.	Spradley.
Kennedy.	Stephens of Upshur.
Killingsworth.	Stevens of Liberty.
King.	Stone.
Kirby.	Sullivan.
Lane.	Tarver.
Lewelling.	Taylor.
Long.	Templeton.
Macgill.	Tillotson.
McAskill.	Ussery.
McDaniel.	Vannoy.
McNeal.	Vickers.
Mangum.	Wagstaff.
Mendell.	Wahrmund.
Mills.	Walker.
Morris of Coryell.	Watson of Mills.
Morris of Victoria.	Webb.
Mulcahy.	Williams
Murray.	of McLennan.
Nabours.	Williams
Neeley.	of Hopkins.
Olander.	Woods of Fisher.
Oliver.	Woods of Navarro.
Owsley.	Yarbrough.

Absent.

Cunningham. Watson of Hays.
McKamy.

Absent—Excused.

Barrett of Titus.	Haxthausen.
Bierschwale.	Jordan.
Broughton.	Parker.
Buchanan.	Rowell.
Collins.	Tyson.
Greenwood.	Wortham.

A quorum of the House was present.

The Speaker then announced that the two houses were in joint session for the purpose of counting the vote for Governor and Lieutenant Governor cast at the last general election.

The Speaker then announced the ap-

pointment of the following tellers on the part of the House:

Mr. Williams of McLennan, Chairman; Mr. Robbins, Mr. Woods of Navarro, Mr. Fountain and Mr. Henry of Wichita.

The President of the Senate announced the appointment of the following tellers on the part of the Senate:

Senator Nugent, Chairman; Senator Watson and Senator Gibson.

The joint tellers were announced present, and at once came forward and occupied seats at the table prepared for them.

The Speaker then requested the joint tellers to come forward, and he delivered to them the returns of the last general election held in this State for the election of Governor and Lieutenant Governor, which returns were, by the Secretary of State duly delivered to the Speaker of the House of Representatives of the Thirty-third Legislature.

The joint tellers then proceeded to the work of counting the votes cast for Governor and Lieutenant Governor at the last general election.

(Pending the count, Senator Willacy, on the part of the Senate, and Mr. Calvin, on the part of the House, occupied the chair.)

RECESS.

On motion of Mr. Hunt, on part of the House, and Senator Watson, on part of the Senate, the joint session at 12:05 p. m., took recess to 1:30 p. m. today.

AFTERNOON SESSION.

(In Joint Session.)

The joint session reconvened at 1:30 o'clock p. m., and was called to order, on part of the Senate by Hon. A. B. Davidson, President of the Senate, and, on part of the House by Hon. E. A. Calvin, who was in the chair when the joint session took recess, on part of the House.

The Chair announced that the two houses were again in joint session for the purpose of completing the count of the vote for Governor and Lieutenant Governor.

The Chair then requested the joint tellers to come forward and receive the election returns of the several counties, which had been left in his custody when the joint session recessed.

The tellers came forward and received the same, and the count of the vote

was then resumed, the same tellers acting as before.

(Pending the count, Senator Wiley was called to the chair on the part of the Senate.)

When the count was completed, the Chair announced to the joint session that the joint tellers had completed the count of the votes, and that the joint session was now ready to receive the result and to hear the report of the joint tellers.

Senator Nugent, on part of the Senate, and Mr. Woods of Navarro, on part

of the House, submitted the following report:

Austin, Texas, Jan. 20, 1913.

Hon. A. B. Davidson, President of the Senate, and Hon. Chester H. Terrell, Speaker of the House of Representatives.

Sirs: We, your joint committee and tellers appointed to canvass the vote for Governor and Lieutenant Governor of this State, at the last general election, held in the State, beg leave to report that the following is the result of our canvass:

RETURNS OF AN ELECTION HELD NOVEMBER 5, 1912.
For Governor and Lieutenant Governor.

Counties.	O. B. Colquitt.	Ed. C. Lasater.	C. W. Johnson.	Andrew Jackson Houston.	Reddin Andrews.	K. E. Choate.	Will H. Mayes.	W. H. Featherstone.	W. C. Averill.	L. M. Hewitt.	T. A. Hickey.	Robert Strach.
Anderson	1821	56	425	8	301	2	1833	54	427	7	309	2
Andrews	94	4	1		1		101	4	1		1	
Angelina	1120	10	22	10	378		1137	8	23	6	379	
Aransas	194	25	3	4	7		198	4	24	2	7	
Archer	474	24	19	6	77	1	477	35	18	8	68	1
Armstrong	298	22	22	5	8		308	22	25	3	8	
Atascosa	647	20	16	5	81	1	660	21	15	2	81	1
Austin												
Bailey												
Bandera	458	91	136	16	75	4	453	96	139	11	75	4
Bastrop	1155	70	168	15	53		1156	70	175	10	53	
Baylor	579	25	11	6	97		587	24	9	5	96	
Bee	503	53	27	10	42		506	52	26	15	36	
Beil	3079	3	10		222		3142	3	6		217	
Bexar	7072	481	957	38	211	20	7033	974	523	27	214	20
Blanco	504	49	103	3	13		499	54	108	3	13	
Borden	132		2	1	5		134		2		5	
Bosque	1260	58	54	3	97		1271	57	53	3	88	
Bowie	1626	167	160	21	487	5	1640	166	170	16	488	5
Brazoria	825	258	229	39	76	3	845	260	229	33	78	3
Brazos	772	35	131	11	7		771	35	134	8	8	
Brewster	367	24	20	5	16	2	367	24	21	5	16	2
Briscoe	147	3	2		7		147	3	2		7	
Brooks	373	197	19	5		1	396	169	30	4		1
Brown	1600	76	98	18	176		1642	77	98	178	16	
Burleson	1028	67	194	1	18	1	1030	67	214	3	17	1
Burnet	648	38	58	9	32		696	36	58	7	31	
Caldwell	1110	65	61	2	19		1119	65	55	2	20	
Calhoun	376	36	33	10	61	1	377	41	34	8	63	1
Callahan	820	22	29	10	120	1	830	21	29	6	120	1
Cameron	2160	110	134	13	18	4	2167	109	135	11	18	4
Camp	487	56	149	2	25		500	58	150	2	25	
Carson	223	31	15	12	20		228	32	14	6	20	
Cass	1351	178	325	9	222	2	1411	173	301	8	229	2
Castro	188	14	10		8		188	14	11		8	
Chambers	242	30	74		25		241	28	79		25	
Cherokee	1707	42	129	24	282	2	1735	44	129	15	282	2
Childress	724	24	27	9	79	1	747	23	27	4	79	1
Clay	946	108	47	12	86		1026	125	45	9	82	
Cochran												
Coke	307	12	7	3	45		315	14	8	3	45	
Coleman	1270	44	41	5	208	4	1320	43	38	17	211	3
Collin	3301	189	329	16	331	7	3340	200	325	18	310	5
Collingsworth	426	13	11	1	52		442	13	11		52	
Colorado	1053	118	99	14	42	3	1058	118	100	14	42	3
Comal	864	50	40	1	17		805	62	59		18	
Comanche	1720	89	44	31	539	2	1769	88	41	21	540	2
Concho	359	11	11	3	86		359	10	11	2	86	
Cooke	1826	120	195	15	188	1	1820	121	200	20	184	2
Coryell	1351	42	33	5	68	2	1367	41	33	1	78	1
Cottle	317	12	3		109	1	319	12	3		108	1
Crane												
Crockett	55	1	2		7		54	2	2		7	
Crosby	278	8	2	4	61		285	8	2		62	
Culberson	144	1					144	1				
Dallas	278	45	13	9	52	1	279	44	14	8	55	1
Dallas	8440	834	489	151	371	16	8577	1024	505	106	369	10
Dawson	94	2	7	3	21		96	2	7	2	21	
Deaf Smith	221	24	21	7	5		225	23	21	5	5	
Delta	928	21	40	9	179	3	960	21	40	9	180	3
Denton	2268	104	191	21	182	1	2265	105	190	19	182	1
DeWitt	1268	74	124	4	25	2	1258	78	129	3	26	3
Dickens	281	14	8	5	111		303	13	8	3	111	
Dimmit	295	44	127	8	14	1	293	47	129	6	10	
Donley	378	34	11	3	40	2	382	34	11	3	41	2
Duval	940	37	41		2		940	37		41	2	
Eastland	1489	45	62	13	392	2	1531	44	63	10	392	2
Ector	94	2	2				94	2	2			
Edwards	163	61	95	11	55	2	166	62	95	8	55	
Ellis	3528	107	268	15	112	4	3564	108	273	11	111	3
El Paso	3327	434	134	36	114	8	3338	458	133	29	116	4
Erath	1616	106	107	28	391	5	1675	106	107	18	376	5

RETURNS OF AN ELECTION HELD NOVEMBER 5, 1911—Continued.
For Governor and Lieutenant Governor.

Counties.	O. B. Colquitt.	Ed. C. Lasater.	C. W. Johnson.	Andrew Jackson Houston.	Reddin Andrews.	K. E. Choate.	Will H. Mayes.	W. H. Featherstone.	W. C. Averill.	L. M. Hewitt.	T. A. Hickey.	Robert Strach.
Falls	1731	124	299	26	169	2	1761	124	302	6	169	8
Fannin	2641	186	219	27	276	3	2707	190	214	15	282	3
Fayette	2186	147	372	3	96	1	2179	151	390	15	82	1
Fisher	574	12	10	6	124	4	587	12	8	9	128	1
Floyd	391	27	12	12	88		406	27	12	11	89	
Foard	428	36	17	12	121	1	435	36	19	5	124	
Fort Bend	725	107	264	11	33		726	106	265	11	30	
Franklin	583	3	15	1	12		589	2	15	1	18	
Freestone	1331	23	487	2	178	1	1334	21	472	2	178	2
Frio	445	19	16	3	8	1	459	19	15	1	7	1
Gaines	69	2			3		69	2			3	
Galveston	2751	341	269			10	2776	336	249	41	115	12
Garza	154	3	4		7		156	2	4		7	
Gillespie	746	653	143	3	4	1	466	891	198	3	4	2
Glasscock	68				8		68				8	
Goliad	508	40	345	9	70	1	456	45	370	7	71	
Gonzales	1409	69	291	1	80	4	1401	59	290	2	78	4
Gray	294	29	8	9	54		320	27	8	14	50	
Grayson	4013	351	460	44	361	2	3949	349	473	28	375	2
Gregg	609	18	103	1	33	1	619	16	103	1	32	1
Grimes	976	27	23	5	22	2	987	26	24	6	23	2
Guadalupe	1599	171	741	13	14	3	1470	196	865	9	15	3
Hale	575	43	16	9	43	1	600	43	6	8	43	1
Hall	769	31	20	4	27	2	731	28	19	4	120	2
Hamilton	938	69	59	5	52		963	67	51	18	54	
Hansford	96	28	11	6	8		98	31	11	5	7	
Hardeman	863	35	30	13	118	1	891	39	31	7	116	1
Hardin	1077	61	74	7	192	2	1073	64	77	3	190	
Harris	7103	599	510	101	713	57	7187	577	502	75	723	58
Harrison	1176	18	29	6	42	1	1151	18	28	6	43	1
Hartley	130	17	12	2	1		130	17	12	1	2	
Haskell	1054	29	33	6	359	1	1075	30	42	2	360	1
Hays	953	35	48	6	8		973	35	48	3	8	
Hemphill	327	105	61	10	32	3	329	108	61	6	33	3
Henderson	1384	84	135	8	435	7	1401	72	139	18	424	6
Hidalgo	1205	75	41	12	43	1	1213	72	42	11	46	1
Hill	2712	76	104	26	115	1	2786	72	102	22	105	1
Hockley												
Hood	676	40	32	5	59	1	701	40	32	2	58	1
Hopkins	2007	56	120	35	275	1	2044	47	128	35	265	4
Houston	1598	45	313	1	264	1	1597	45	323		267	1
Howard	551	9	12	10	115		568	9	15	4	115	
Hunt	3452	200	227	47	376	2	3460	197	234	36	380	3
Hutchinson	139	10	11	2	1		142	7	13	1	5	
Irion	136	4			11		136	4			11	
Jack	770	63	80	35	178		783	61	91	4	218	
Jackson	340	65	36	7	81		338	67	26	6	84	
Jasper	602	30	35	6	200		610	30	35	4	201	
Jeff Davis	133	11	79	1	7		134	11	82	7		
Jefferson	1845	214	154	17	166	2	1840	213	149	12	165	3
Jim Wells	245	35	21	7	42	1	253	34	19	4	42	
Johnson	2506	72	98	7	361	3	2552	73	97	4	362	4
Jones	1304	42	51	11	195	2	1329	43	52	4	195	2
Karnes	761	28	31	2	3	1	770	28	33		3	1
Kaufman	2070	73	226	7	260	2	2080	75	275	7	266	1
Kendall	453	77	95	1	9	2	299	149	161		13	1
Kent	153	6	2	1	20	1	153	6	2	1	19	1
Kerr	665	60	102	5	36	3	654	73	110	5	36	1
Kimble	145	12	14		20		146	10	14		21	
King	79		2		2		78		2		2	
Kinney	81	87	96	1	14	1	81	87	96	1	14	1
Knox	672	24	29	4	127		681	25	29	3	128	
Lamar	2407	86	137	8	136		2430	71	139	11	136	
Lamb	45	20	8	10			49	15	8	9		
Lampasas	543	32	59	10	61	2	577	33	57	7	61	3
La Salle	349	25	13	4	16		353	24	13	4	9	
Lavaca	1715	82	155	15	184	8	1735	83	156	5	197	4
Lee	734	37	105	3	98	1	743	37	109	1	98	1
Leon	886	45	154	23	270	1	902	28	206	1	237	1
Liberty	599	90	81	5	72	5	600	91	80	6	74	2
Limestone	1718	49	121	10	214	2	1746	47	121	10	213	3
Lipscomb	258	97	40	14	50	4	256	100	43	11	52	4

RETURNS OF AN ELECTION HELD NOVEMBER 5, 1912—Continued.
For Governor and Lieutenant Governor.

Counties.	O. B. Colquitt.	Ed. C. Lauder.	C. W. Johnson.	Andrew Jackson Houston.	Reddin Andrews.	K. E. Choate.	Will H. Mayes.	W. H. Featherstone.	W. C. Averill.	L. M. Hewitt.	T. A. Hickey.	Robert Strach.
Live Oak	288	42	50		19	2	293	42	23	20		2
Llano	478	18	14	5	28		480	17	15	1	30	
Loving												
Lubbock	377	11	14	10	13		382	11	14	6	12	
Lynn	125	2	4	2	11		128	2	4	3	10	
Madison	391	19	35	4	45		392	19	35	4	46	
Marion	354	61	77				355	35	76			
Martin	123	2	1	1	5		127	3		1	5	
Mason	557	122	107	10	81	3	543	134	113	5	82	3
Matagorda	759	135	85	35	86		751	137	83	28	80	
Maverick	191	70	137	1	6	1	181	70	137	1	6	1
McCulloch	637	41	31	9	137	6	637	41	31	9	137	6
McLennan	3854	176	219	25	169	1	4049	172	217	17	168	5
McMullen	82	1	1				61	1	2			
Medina	877	88	123	6	27	1	809	98	171	5	26	1
Menard	143	13	7		35		142	14	7		34	
Midland	215	6	11	1	8		220	5	11	1	8	
Milam	1916	40	217	14	480	43	1949	42	217	8	480	3
Mills	608	43	65	5	175		627	43	62	3	173	
Mitchell	556	27	14	5	79	1	602	30	14	4	79	1
Montague	1541	89	125	11	336	1	1580	89	123	9	336	2
Montgomery	643	74	122	3	100	2	660	71	111	2	99	2
Moore	63	3	6				63	4	6			
Morris	640	30	57	3	9		647	30	174	3	19	
Motley	203	5	4	3	28	1	208	7	4	1	28	1
Nacogdoches	1640	24	71	9	332	4	1660	21	71	7	332	4
Navarro	2617	93	157	14	170		2682	96	163	10	165	
Newton	284	12	8	1	43		285	12	8	1	43	
Nolan	665	13	55	9	68	2	677	13	55	9	68	2
Nueces	942	94	64	20	164		980	90	69	16	168	1
Ochiltree	94	15	3		3		97	14	3		3	
Oldham	90	18	23	8	3		93	16	23	7	4	
Orange	577	31	18	1	46		578	31	18	1	46	
Palo Pinto	1274	39	49	29	364	3	1302	43	47	19	365	2
Panola	1213	49	85	1	181		1216	49	85	1	181	
Parker	1776	62	96	31	417	1	1854	63	96	17	413	1
Parmer	114	46	6	8			117	47	6	4		
Pecos	246	64	67	5	10		249	64	69	5	10	
Polk	634	31	37	8	71	1	639	31	36	1	75	1
Potter	807	79	35	33	83		847	75	34	16	84	3
Presidio	280	17	45		5		279	19	45		5	
Rains	496	17	42	11	238		493	14	54	2	224	
Randall	287	11	14	7	4		293	11	14	6	4	
Reagan	34						34					
Red River	1559	162	213	20	139		1582	163	213	9	139	
Reeves	289	25	8	5	4	3	295	24	8	4	3	2
Refugio	234	23	110	9	35	2	232	22	110	3	29	2
Roberts	195	20	12	1	5	1	195	20	12	1	6	
Robertson	1149	17	89	1	62		1157	17	92	1	59	
Rockwall	650	16	17	5	23		595	15	17	5	22	
Runnels	1170	31	35	12	204		1196	32	35	8	205	
Rusk	1484	77	465	2	210		1486	52	470	2	208	
Sabine	457	2	9	2	43		461	2	9	2	54	
San Augustine	352	9	7	2	78	1	355	9	7	31	50	1
San Jacinto	382	34	186		20	1	386	35	187		24	
San Patricio	567	60	151	33	69		588	57	150	23	69	1
San Saba	707	23	30	6	164		711	23	29	6	154	
Schleicher	131	7	3		3		130	137	3	1	3	
Scurry	677	18	20	10	89	1	690	18	17	10	89	1
Shackelford	264	13	7	9	50		264	13	8	4	53	
Shelby	1493	19	78	4	288	2	1488	19	79	3	288	2
Sherman	109	15	18	2	9		110	15	18	1	9	
Smith	2017	353	462	31	386	4	2048	353	471	38	381	1
Somervell	275	6	5	13	95	1	276	6	5	2	106	1
Starr	677	3	248				676	1	250			
Stephens	466	2	9	1	92		471	2	9	1	90	
Sterling	170	2	3	1	1		175	2	3		1	
Stonewall	360	7	10	1	70		356	7	10	1	116	
Sutton	73	11	6		1		72	11	6		1	
Swisher	290	24	16	9	2		302	22	17	6	2	
Tarrant	7917	654	386	84	494		8009	645	391	64	494	
Taylor	1562	46	49	14	189	1	1590	49	49	10	189	

RETURNS OF AN ELECTION HELD NOVEMBER 5, 1912—Continued.
For Governor and Lieutenant Governor.

Counties.	O. B. Colquitt.	Ed. C. Lasater.	C. W. Johnson.	Andrew Jackson Houston.	Reddin Andrews.	K. E. Choate.	Will H. Mayes.	W. H. Featherstone.	W. C. Averill.	L. M. Hewitt.	T. A. Hickey.	Robert Strach.
Terrell.....	123	33	36	1	3	1	123	33	36		3	1
Terry.....	102	1	2	1			102	1	2			
Throckmorton.....	249	8	2	1	60		256	9	2	2	59	
Titus.....	985	41	56	4	150		992	41	54	4	150	
Tom Green.....	951	43	32	8	62	1	969	41	33	6	61	1
Travis.....	3126	151	298	23	166	2	3155	152	305	17	173	3
Trinity.....	703	25	88	5	118	2	740	24	73	4	127	2
Tyler.....	537	3	31	1	81	2	433	4	31	1	81	1
Upshur.....	970	30	137	11	71	1	977	27	129	8	72	1
Upton.....	31	1	1		1		31	1	1		1	
Uvalde.....	627	41	43	4	43		651	41	43	2	43	
Val Verde.....	327	89	141	3	25		323	88	136		24	
Van Zandt.....	1852	62	69	21	840	4	1885	61	72	13		845
Victoria.....	770	82	99	9	52		775	84	85	18	53	
Walker.....	684	22	284	1	54	3	680	30	291	52		3
Waller.....	680	54	86	3	20	1	692	55	88		20	1
Ward.....	165	12	3	1	5		169	13	3	1	5	
Washington.....	1471	25	295	1	4		1385	21	361	1	1	
Webb.....	697	25	840		4		665	21	870		4	
Wharton.....	808	162	96	20	133	1	821	159	96	19	132	1
Wheeler.....	415	34	31	9	66		430	35	29	5	65	
Wichita.....	1157	104	93	10	111	2	1171	111	94	7	101	2
Wilbarger.....	1072	39	25	7	189	2	1081	33	24	10	189	2
Willacy.....	105		1				105		1			
Williamson.....	2223	99	147	27	102	2	2160	98	148	16	96	2
Wilson.....	954	25	70	11	37	1	956	24	78	7	37	1
Winkler.....	26						26					
Wise.....	1840	111	134	19	148	2	1892	106	136	10	148	2
Wood.....	1480	52	119	30	399		1504	53	118	14	348	
Yoakum.....	42						41					
Young.....	911	32	38	6	181	2	935	36	33	4	171	2
Zapata.....	176		23				176		23			
Zavala.....	248	47	44	5	66	1	251	45	42	5	66	1
Totals.....	233073	15741	22914	2353	25258	398	234999	16806	23129	2117	24209	1194

IN THE SENATE.

The Senate was called to order at 4:25 o'clock p. m., Lieutenant Governor Davidson presiding.

SIMPLE RESOLUTION.

By Senator Warren:

Whereas, January the 19th was the birthday anniversary of that illustrious American citizen, soldier and patriot, General Robert E. Lee, therefore, I move that when the Senate adjourns today, that it do so out of respect to the memory of that distinguished son of the South, who once honored our State by his residence here, and who immortalized the land of his birth by the exemplification of the noblest traits of American manhood.

The resolution was read and Senator McNealus moved that the names of all the Senators present be signed to same. The motion prevailed.

The resolution was read and unanimously adopted by a rising vote.

Signed: Astin, Brelsford, Carter, Collins, Conner, Cowell, Darwin, Gibson, Hudspeth, Johnson, Kauffman, Lattimore, McGregor, McNealus, Morrow, Murray, Nugent, Paulus, Real, Taylor, Terrell, Townsend, Vaughan, Warren, Watson, Weinert, Westbrook, Wiley and Willacy.

BILLS AND RESOLUTIONS.

By Senator Collins:

Senate bill No. 63, A bill to be entitled "An Act to amend Section 9, Chapter 30, of the General Law of the State of Texas, passed by the Thirty-first Legislature (1909), at the Regular Session, approved April 21, 1909, relating to the Texas State Board of Health, Vital Statistics, and to add to said Chapter, Section 10a; establishing charbon districts; providing that persons residing therein shall report all animals suffering with charbon or supposed to have such disease to the county health officer, who shall report same to the State Board of Health, and providing for practicing physicians to report all persons suffering with said disease; and providing for the employment of a chemist and bacteriologist where charbon is prevalent, for the purpose of combating with said disease; and providing for the State Board of Health or one who is under them, to visit all stock reported to have charbon; and providing for the isolation of same and for the isolation of all

stock exposed to said disease and authority to destroy infected stock and providing for the destruction of the carcasses of stock dying from charbon, or supposed to have died from same, and prohibiting certain stock from running at large between the first day of May and the first day of October in any county where charbon is prevalent or where same may become prevalent; and providing for the prohibiting of such stock in counties and subdivisions thereof where charbon is prevalent, or where same may become prevalent, from running at large in such counties or subdivisions thereof, to be determined by election by the qualified voters of such counties, providing the manner of holding such elections regulating the terms and conditions thereof, and the carrying into effect of such elections so to be held; and providing adequate penalties for enforcing such law, and repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

Read first time and referred to Committee on Public Health.

By Senator Collins:

Senate bill No. 64, A bill to be entitled "An Act to amend Title 7, Chapter 2, Article 303 of the Revised Statutes of the State of Texas, so as to exclude grocery stores and markets from the provisions thereof."

Read first time and referred to Judiciary Committee No. 2.

By Senator Murray:

Senate bill No. 65, A bill to be entitled "An Act appropriating money to erect new buildings at the State Insane Asylum, located at Austin; the Southwestern Insane Asylum, located at San Antonio, and the Epileptic Colony, located at Abilene, and for the erection of buildings for the care and accommodation of feeble-minded children."

Read first time and referred to Committee on Asylums.

By Senator Vaughan:

Senate bill No. 66, A bill to be entitled "An Act to amend Articles 940, 941, 943, as amended by the Act of April 30, 1901, and 946 of the Revised Statutes, defining the original and appellate jurisdiction of the Supreme Court and regulating practice therein."

Read first time and referred to Judiciary Committee No. 1.

By Senator Wiley:

Senate bill No. 67, A bill to be entitled "An Act entitled Guardian and Ward,

Chapter 7, Title 64 of the Revised Civil Statutes of Texas, 1911, fixing amount of bond of guardian of ward, providing for payment, conditions and approval of bond of guardian; prescribing duties of judge with reference to such bond and making the judge liable in damage for negligence; and to amend Sections 4140, 4141, 4144, 4145 and 4146, of act entitled Guardian and Ward, Chapter 10, Title 64, of the Revised Civil Statutes of Texas, 1911, directing that guardian invest surplus funds of ward or loan same, designating certain investments that may be made and security taken for the payment of loan; providing for examination of title and papers by attorney and payment of fee for examination; directing consideration of application for investment of funds of ward in real estate and making orders; making report of investment of funds and orders thereon; and to amend Sections 4155, 4158, 4162, 4163, 4164 and 4173, of an act entitled Guardian and Ward, Chapter 11, Title 64, of the Revised Civil Statutes of Texas, 1911, providing for making application for the sale of real estate of ward and designating certain facts that shall exist to support such application; and the consideration of same and orders thereon; prescribing terms of sale and requisites of orders directing sale of real estate and requiring bond; providing for execution and delivery of conveyance by guardian, collection of funds, taking security for the payment of purchase money and loans made; providing for sale under deed of trust; providing for payment of debts and renewals and extensions of debts due by estate of ward; for filing annual account by guardian, and action thereon by the court; and to amend Sections 4177 and 4181 of an act entitled Guardian and Ward, Chapter 12, Title 64 of the Revised Civil Statutes of Texas, 1911, providing for hearing of report of sale, for orders thereon and directing the execution and delivery of deed by guardian upon certain conditions; and to amend Sections 4187 and 4188, an act entitled Guardian and Ward, Chapter 13, Title 64, of the Revised Civil Statutes of Texas, 1911, providing for filing annual account by guardian and action of court thereon; and to amend Section 4281, of an act entitled Guardian and Ward, Chapter 20, Title 64, of the Revised Civil Statutes of Texas, 1911, providing for a commission to be paid guardian and charged to estate of ward, construing this article and making exemptions of certain funds from payment of commission or fees. And repealing

Sections 4159 of an act entitled Guardian and Ward, Chapter 11, Title 64, of the Revised Civil Statutes of Texas, 1911, relating to order of sale of real estate and citation issued on application for sale of real estate owned by ward; and repealing Section 4193 of an act entitled Guardian and Ward, Chapter 13, Title 64, of the Revised Civil Statutes of Texas, 1911, relating to application of Chapter 14 of an act entitled Guardian and Ward, Title 64, of the Revised Civil Statutes of Texas, 1911, and to repeal all laws in conflict therewith, and declaring an emergency."

Read first time and referred to Judiciary Committee No. 1.

By Senator Darwin:

Senate bill No. 68, A bill to be entitled "An Act to amend Article 3690, Chapter 4, Title 53, of the Revised Civil Statutes of Texas, of 1911, so as to include 'devisees or legatees' among the class of persons prohibited from testifying in actions by or against executors, administrators or guardians in which judgment may be rendered for or against them as such, and declaring an emergency."

Read first time and referred to Judiciary Committee No. 2.

By Senator Astin:

Senate bill No. 69, A bill to be entitled "An Act to amend Article 5243, Chapter 1, Title 77, Revised Civil Statutes of the State of Texas, of 1911, relating to Bureau of Labor Statistics."

Read first time and referred to Committee on Labor.

By Senators Westbrook, Townsend and Collins:

Senate bill No. 70, A bill to be entitled "An Act to amend the Revised Civil Statutes of the State of Texas, adopted at the Regular Session of the Thirty-second Legislature, so as to add thereto after Article 3078, Article 3078a, providing for the nomination of candidates for President and Vice President of the United States, and party political electors, and the election of delegates to the National Convention of the respective political parties of this State, to be chosen by a direct preferential primary, and providing an emergency."

Read first time and referred to Committee on State Affairs.

By Senators Westbrook, Vaughan, Collins and Nugent:

Senate bill No. 71, A bill to be entitled "An Act making it unlawful for a

Senator or Representative-elect, to receive employment, fees, gifts, loans or compensation as officer, agent, representative or attorney from certain corporations or persons and prescribing penalties therefor, and declaring an emergency."

Read first time and referred to Judiciary Committee No. 2.

By Senator Nugent:

Senate bill No. 72, A bill to be entitled "An Act to amend Article 5644, Chapter 4, Title 68, Revised Statutes, of 1911, General Laws of 1897, Acts of Twenty-sixth Legislature, same being 'An Act to protect accountants, mill bookkeepers, artisans, craftsmen, factory operatives, mill operatives, servants, mechanics, quarrymen, common laborers and farm hands; to provide a lien, and prescribe the time of payments, and in lawful money of the United States; and prescribing the rights of the assignees of such persons,' etc., by adding to the kind of character of such laborers or persons all laborers who may perform any service in like manner in the cutting, preparation, handling, hauling or transporting to any mill or other point for sale, manufacture or other disposition logs or other timber, and all laborers who may in like manner perform any service upon any wagons, carts, tram or railroad, or other means or method of transporting such logs or timber, and in the construction or maintenance of such tram or railroad, constructed or used for the transportation of logs or timber to or for such mill or its owner or operator, or to points for sale, shipment or other disposition, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time and referred to Judiciary Committee No. 1.

By Senator Nugent:

Senate bill No. 73, A bill to be entitled "An Act to amend Chapter 6, Title 13, of the Revised Penal Code of Texas, by amending Articles 904, 906, 909, 910, 911, 917 and 923, and by adding thereto Articles 923a, 923b, 923c, 923d, 923e and 923f; said act providing for a better protection to the fish and oyster industry in this State by prescribing certain penalties for unlawfully raking, dredging or excavating with machinery, any public oyster bed or reef; and by prescribing certain penalties for unlawfully catching fish, green turtles, loggerhead terrapin or shrimp within certain limits, defining them, with seines, drag nets, fykes, set nets, trammel nets, traps,

dams or weirs, prohibiting by suitable penalties, the sale of certain fish of certain weight and limiting the time for fish to be held within seine or enclosures; providing certain restrictions against the sale or shipment of green turtles and terrapin; defining breeding season and providing against the catching of fish, terrapin, etc., within certain waters by drag, seine, etc., during such period; providing for license for wholesale dealer in fish and oysters, etc., and fixing penalties for selling fish, turtle and oysters, etc., without license; declaring certain nets, seines, boats, etc., nuisances and defining the duties of the Game, Fish and Oyster Commissioner with reference thereto; fixing penalties for unlawfully taking oysters from closed oyster reefs and for unlawfully catching fish in certain waters; fixing the venue of prosecutions under this act; defining the duties of the Game, Fish and Oyster Commissioner and his deputies, and declaring an emergency."

Read first time and referred to Judiciary Committee No. 2.

By Senator Johnson:

Senate bill No. 74, A bill to be entitled "An Act to amend Section 1, Chapter 103, Acts of the Thirty-second Legislature, entitled an act to validate all sales made out of leases of unsurveyed school lands that may have been erroneous by the reason of a lack of definiteness of lease holds and unmarked survey lines, and all sales made on lines of four-section counties, and eight-section counties, and such sales of land as may have been made in four-section county, and other sales in an eight-section county, as may have been erroneous on account of a lack of clearness in the Statutes regulating the rights of purchasers in four-section counties and eight-section counties, are hereby validated and declared to be good sales so far as the probable errors herein mentioned may affect such sales; sales of school lands to actual settlers in such cases as the applicant did settle on the land within the time required by law, but did not file in the General Land Office the affidavit of settlement within the time required by law, but did settle in and in person or by legally substituted assignee continue to reside upon the land in good faith, and declaring an emergency."

Read first time and referred to Committee on Public Lands and Land Office.

By Senator Hudspeth:

Senate bill No. 75, A bill to be entitled "An Act for the protection of persons of this State who may be injured in a foreign country and providing for adequate compensation therefor, and declaring an emergency."

Read first time and referred to Committee on Labor.

By Senator Lattimore:

Senate bill No. 76, A bill to be entitled "An Act to define loan sharks and to fix a penalty for lending money at a greater rate of interest than is hereinafter provided and repealing all laws in conflict, and declaring an emergency."

Read first time and referred to Judiciary Committee No. 1.

By Senator Lattimore:

Senate bill No. 77, A bill to be entitled "An Act to amend Sections 1, 2, 3 and 5 of Chapter 35, Acts of the Twenty-ninth Legislature, which is an act to regulate the sale of cocaine and other drugs; to regulate the issuance of prescriptions for such drugs; to require persons selling such drugs upon prescription to file same, and to provide that nothing in this act shall prevent the sale of certain preparations containing not more than two grains of opium, one-eighth grain of morphine, two grains of chloral hydrate and one-sixteenth grain of cocaine, in one fluid ounce and to provide penalties for the violation thereof; and repealing all laws in conflict herewith, and providing for an emergency."

Read first time and referred to Committee on Public Health.

By Senators Conner, Terrell, Darwin and Brelsford:

Senate bill No. 78, A bill to be entitled "An Act to authorize the St. Louis Southwestern Railway Company of Texas to purchase, own and operate as a part of its line the railroad of the Stephenville North and South Texas Railway Company, together with all the franchises and property incident or appertaining thereto; and to authorize the Stephenville North and South Texas Railway Company to sell its railroad, together with all the franchises and property incident or appertaining thereto to the said St. Louis Southwestern Railway Company of Texas, and to authorize the latter company after such purchase of said railroad to operate the same under its charter as part of its own line and to extend the lines of road so purchased and to construct

branches thereof by amendment to its charter under the General Laws of the State of Texas; and until such purchase is made, to authorize the lease by the St. Louis Southwestern Railway Company of Texas of the railroad and other properties of the Stephenville North and South Texas Railway Company for a term or terms not exceeding fifty years; and until such purchase is made to authorize the St. Louis Southwestern Railway Company of Texas to purchase and own the capital stock of the Stephenville North and South Texas Railway Company and to regulate the reports and operations of said railroad and property after the lease or purchase thereof; and to authorize said railway companies to execute all necessary contracts, agreements and conveyances to accomplish said purchase and sale and declaring an emergency."

Read first time and referred to Committee on Internal Improvements.

By Senator Warren:

Senate bill No. 79, A bill to be entitled "An Act to amend Section 10, Chapter 23, of the General Laws of the First Called Session of the Thirtieth Legislature, as amended by Chapter 114, Acts of Thirty-first Legislature, as amended by Chapter 51, Acts of Thirty-second Legislature, so as to extend the time within which and prescribe conditions upon which domestic and foreign corporations which are now in default in payment of franchise taxes and penalties may pay same and have their right to do business revived, by extending until the first day of September, A. D. 1913, the time during which corporations embraced within the terms of said act may pay to the Secretary of State franchise taxes and penalties referred to in said act, and have their rights to do business revived; and providing for forfeiture of the charters of such domestic corporations as may fail so to do, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Warren:

Senate bill No. 80, A bill to be entitled "An Act in regard to the appellate procedure in civil and criminal cases, prescribing the circumstances under which a judgment appealed from may be reversed, set aside or a new trial granted by the appellate courts of this State; repealing all laws and parts of laws in conflict with this act, and declaring an emergency."

Read first time and referred to Judiciary Committee No. 1.

By Senator Warren:

Senate bill No. 81, A bill to be entitled "An Act to amend Chapter XV of the Penal Code of the State of Texas, as adopted at the Regular Session of the Twenty-fourth Legislature, by adding Article 713a after Article 713, prescribing that where a defendant by the introduction of evidence puts in issue the character of the deceased, and should an issue arise as to who commenced the difficulty, it shall then be competent for the State to introduce evidence of the general character of the defendant, and declaring an emergency."

Read first time and referred to Judiciary Committee No. 2.

By Senator Warren:

Senate bill No. 82, A bill to be entitled "An Act to amend the special charter of the city of Terrell, Kaufman county, Texas, as passed by the Thirty-second Legislature of Texas, by amending thereof Section 2 of Article 19, Section 3 of Article 19, repealing Section 1 of Article 30, and declaring an emergency."

Read first time and referred to Judiciary Committee No. 1.

By Senator Townsend:

Senate bill No. 83, A bill to be entitled "An Act to amend Article 4981 of the Revised Civil Statutes of the State of Texas, 1911, adopted at the Regular Session of the Thirty-second Legislature providing that all judgments of the several courts of this State shall bear interest at the rate of ten per cent per annum from and after the date of the judgment."

Read first time and referred to Judiciary Committee No. 1.

By Senators Watson and Terrell:

Senate bill No. 84, A bill to be entitled "An Act to repeal Articles 205, 206, 207 and 208, Title 10, Chapter 3, of the Revised Civil Statutes of 1911, relating to the Texas Confederate Home, and to insert in lieu thereof Articles 205, 205-a, 205-b, 205-c, 205-f, 205-g, 206, 206-a, 206-b, 206-c, 206-d, 206-e, 206-f, 207, 207-a, 208, 208-a, 208-b; providing for the appointment by the Governor of a Board of Trustees for the Texas Confederate Home, and defining their duties and powers; and providing for their fees; providing for the appointment of a superintendent and defining his powers and duties, and fixing his salary; providing for the admission of applicants

to said Texas Confederate Home and the conditions under which they are permitted to enter; and providing for the repeal of all laws and parts of laws in conflict with this act."

Read first time and referred to Committee on State Affairs.

By Senators Astin and Willacy:

Senate bill No. 85, A bill to be entitled "An Act to amend Article 4621, Title 68, Chapter 3, of the Revised Civil Statutes of the State of Texas, as enacted in the year 1911, so as to make the separate property of the wife, the rents and revenues derived from property, whether real or personal, granted to the wife by will, deed or otherwise, with the provision that the rents and revenues derived therefrom shall be her separate property; and to exempt the same from the management and control of the husband, and from debts contracted by him; repealing all laws or parts of laws in conflict therewith, and declaring an emergency."

Read first time and referred to Judiciary Committee No. 1.

By Senator Vaughan:

Senate bill No. 86, A bill to be entitled "An Act authorizing the trustees of common school districts and independent school districts to direct the time for conducting the public free schools in such districts at such time, and in such number of terms as may be deemed by them for the best interests of those within the scholastic age entitled to attend such schools and to suspend any term of such schools when the average daily attendance thereon in any one month shall fall below 30 per cent of the scholastic population of such district, and providing for an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Warren:

Senate Concurrent Resolution No. 3, Whereas, on March 4, 1913, the Democratic party will again assume the administration of government in the United States, and Honorable Woodrow Wilson, our great leader, will be inaugurated President; and,

Whereas, We can with pride and honor recall that the efforts and fidelity of the Texas Delegation in the National Convention contributed largely to the nomination of that convention and to the policies as expressed in the platform of that convention; and,

Whereas, We believe that it would be an honor and service to our great State

for this Senate and the House to attend in a body the inauguration;

Therefore, Be It Resolved, That this Senate, the House concurring, attend the inauguration, if suitable arrangements can be made and conditions are such at the time that it is possible, and that a committee of five be appointed, two from the Senate and three from the House, to investigate the cost of the trip and the arrangements which can be made.

Read and referred to Committee on State Affairs.

EXECUTIVE MESSAGE.

Here the Chair laid before the Senate the following Executive Message:

Governor's Office,

Austin, Texas, January 20, 1913.

Section 12 of Article 4, of the Constitution, provides that all vacancies filled by appointment of the Governor during recess of the Senate, shall be submitted to the Senate for its confirmation during the first ten days of its session.

In accordance with said provision, I ask the advice and consent of the Senate to the appointment of the following named persons:

To be Associate Justice of the Supreme Court, Hon. Nelson Phillips of Dallas County, to succeed Hon. W. F. Ramsey, resigned.

To be Chief Justice of the Fourth Supreme Judicial District, Hon. W. S. Fly of Gonzales County, to succeed James, deceased.

To be Associate Justice of the Fourth Supreme Judicial District, Hon. A. N. Moursand of Mason County, to succeed Cobbs, resigned.

To be Associate Justice of the Fourth Supreme Judicial District, Hon. George B. Taliaferro of Bexar County, to succeed Fly, appointed Chief Justice of said court.

To be Judge of the Twenty-second Judicial District, Hon. F. S. Roberts of Caldwell County, to succeed Moore, deceased.

To be Judge of the Sixtieth Judicial District, Hon. John M. Conley of Jefferson County, to succeed Hightower, resigned.

To be Judge of the Fifteenth Judicial District, Hon. W. M. Peck of Grayson County, to succeed Jones, resigned.

To be Judge of the Forty-sixth Judicial District, Hon. D. E. Decker of Hardeman County, to succeed Huff, resigned.

To be Judge of the Thirty-sixth Ju-

dicial District, Hon. F. G. Chambliss of Bee County, to succeed Stevens, resigned.

To be Judge of the Thirty-seventh Judicial District, Hon. W. S. Anderson of Bexar County, to succeed Dwyer, resigned.

To be Judge of the Sixteenth Judicial District, Hon. R. H. Hopkins of Denton County, to succeed Potter, deceased.

To be Judge of the Thirty-fourth Judicial District, Hon. Dan. M. Jackson of El Paso County, to succeed Harper, resigned.

To be Judge of the Seventy-third Judicial District, Hon. R. H. Ward of Bexar County, to succeed Birkhead, resigned.

To be Judge of the Criminal District Court No. 2, Hon. Barry Miller of Dallas County.

To be District Attorney of the Twenty-second Judicial District, Hon. S. C. Lowrey of Fayette County, vice F. S. Roberts, appointed District Judge.

To be District Attorney of the Twenty-seventh Judicial District, Hon. John L. Ward of Bell County, vice Pendleton, resigned.

To be District Attorney of the Thirtieth Judicial District, Hon. Edgar Scurry of Wichita County, vice Foster, deceased.

To be State Treasurer, Hon. J. M. Edwards of Runnels County, vice Sparks, resigned.

To be Attorney General, Hon. James D. Walthall of Bexar County, vice Lightfoot, resigned.

To be members of the Board of Prison Commissioners: Hon. R. W. Braham of Walker County, Hon. L. W. Tittle of Cherokee County.

To be Assistant District Attorney for Bexar county, Hon. Nelson Lytle of Bexar county, vice Carl, resigned.

To be Secretary of State, Hon. J. T. Bowman of Travis County, vice McDonald, resigned.

To be Secretary of State, Hon. John L. Wortham of Harris County, vice Bowman, resigned.

To be State Purchasing Agent, Hon. J. R. Elliott, of Grayson County, vice McKay, resigned.

To be Regents of the College of Industrial Arts for Women: Hon. Sam P. Harbin of Dallas County, vice Hardwicke, resigned; Miss E. Breckenridge of Bexar County, vice Mrs. Cone Johnson, resigned; Hon. W. D. Adams of Kaufman County, vice Bishop Garrett, resigned.

To be a member of the Board of Medi-

cal Examiners, Dr. E. B. Osborne of Johnson County, vice Osborne, resigned.

To be a member of the San Jacinto Park Commission, James K. P. Gillespie of Harris county, vice Coyle, deceased.

To be members of the Board of Trustees for the Blind Institute: C. D. Johns of Travis county, vice Wroe, resigned; E. J. Byrne of Travis county, vice Christal, resigned; M. T. Fowler of Travis county, vice Parker, resigned; O. D. Parker of Travis county, vice Bradfield, resigned.

To be members of the Southwestern Insane Asylum Board at San Antonio: G. L. Maverick and Gus Zalmanzig of Bexar county, vice Bertrand and Coon, resigned.

To be a member of the Confederate Home Board of Managers, R. O. Harris of San Saba county, vice Musgrove, resigned.

To be a member of the State Dental Board of Examiners, W. H. Scherer of Harris county, vice Westerfield, resigned.

To be a member of the Board of Managers for the Deaf, Dumb and Blind Institute for Colored Youths, Rev. Joshua Phipps of Travis county, vice Posey, resigned.

To be a member of the Board of Trustees for the Institution for the Training of Juveniles at Gatesville, Mrs. M. Cavitt of Coryell county, vice Mrs. Prewitt, resigned.

To be Pilot Commissioners at Galveston, R. Waverly Smith and C. N. Rhode of Galveston county, vice Moore and Seinsheimer, resigned.

To be members of the State Veterinary Board, A. E. Flowers of Dallas county, vice Wilkins, resigned; J. W. Burby of Bexar county, vice Jarrell, resigned.

To be Chief Justice of the Eighth Supreme Judicial District, Hon. James R. Harper of El Paso county, vice Peticolas, resigned.

To be members of the Board of Regents for the State Normal Schools: Hon. W. H. Fuqua of Potter county, Hon. Peter Radford of Parker county, Hon. A. C. Goeth of Travis county, Hon. Walter J. Crawford of Jefferson county.

To be members of the State Text-Book Board: W. F. Doughty of Falls county, L. T. Cunningham of Jones county, John F. O'Shea of Williamson county, Gus F. Urbanke of Washington county, C. E. Evans of Hays county, F. V. Garrison of Hopkins county, Frank Kadanka of Burleson county, Mrs. Ella F. Little of

Bell county, L. Z. Timmons of Jack county.

To be Chief Justice of the Seventh Supreme Judicial District, Hon. S. P. Huff of Wilbarger county, vice Graham, resigned.

Respectfully submitted,
O. B. COLQUITT,
Governor.

EXECUTIVE SESSION—TIME SET FOR.

Senator Hudspeth moved that the Senate go into executive session today at 5:25 o'clock, for the purpose of considering the above appointments.

The motion was unanimously adopted by the following vote:

Yeas—26.

Astin.	Morrow.
Brelsford.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Hudspeth.	Warren.
Johnson.	Watson.
Kauffman.	Westbrook.
Lattimore.	Wiley.
McNealus.	Willacy.

Absent.

Greer.	Weinert.
McGregor.	

Absent—Excused.

Bailey.	Real.
---------	-------

IN EXECUTIVE SESSION.

In executive session the following confirmations were made as reported by the Secretary of the Senate:

To be Associate Justice of the Supreme Court, Hon. Nelson Phillips of Dallas County.

To be Chief Justice of the Fourth Supreme Judicial District, Hon. W. S. Fly of Gonzales County.

To be Associate Justice of the Fourth Supreme Judicial District, Hon. A. N. Moursand of Mason County.

To be Associate Justice of the Fourth Supreme Judicial District, Hon. George B. Taliaferro of Bexar County.

To be Judge of the Twenty-second Judicial District, Hon. F. S. Roberts of Caldwell County.

To be Judge of the Sixtieth Judicial District, Hon. John M. Conley of Jefferson County.

To be Judge of the Fifteenth Judicial District, Hon. W. M. Peck of Grayson County.

To be Judge of the Forty-sixth Judicial District, Hon. D. E. Decker of Hardeman County.

To be Judge of the Thirty-sixth Judicial District, Hon. F. G. Chambliss of Bee county.

To be Judge of the Thirty-seventh Judicial District, Hon. W. S. Anderson of Bexar County.

To be Judge of the Sixteenth Judicial District, Hon. R. H. Hopkins of Denton County.

To be Judge of the Thirty-fourth Judicial District, Hon. Dan. M. Jackson of El Paso County.

To be Judge of the Seventy-third Judicial District, Hon. R. H. Ward of Bexar County.

To be Judge of the Criminal District Court No. 2, Hon. Barry Miller of Dallas County.

To be District Attorney of the Twenty-second Judicial District, Hon. S. C. Lowrey of Fayette County.

To be District Attorney of the Twenty-seventh Judicial District, Hon. John L. Ward of Bell County.

To be District Attorney of the Thirtieth Judicial District, Hon. Edgar Scurry of Wichita County.

To be State Treasurer, Hon. J. M. Edwards of Runnels County.

To be Attorney General, Hon. James D. Walthall of Bexar County.

To be members of the Board of Prison Commissioners: Hon. R. W. Brahan of Walker County, and Hon. L. W. Tittle of Cherokee County.

To be Assistant District Attorney for Bexar County, Hon. Nelson Lytle of Bexar County.

To be Secretary of State, Hon. J. T. Bowman of Travis County.

To be Secretary of State, Hon. John L. Wortham of Harris County.

To be State Purchasing Agent, Hon. J. R. Elliott of Grayson County.

To be Regents of the College of Industrial Arts for Women: Hon. Sam P. Harbin of Dallas County, Miss E. Breckenridge of Bexar County and Hon. W. D. Adams of Kaufman County.

To be a member of the Board of Medical Examiners, Dr. E. B. Osborne of Johnson County.

To be a member of the San Jacinto Park Commission, Hon. James K. P. Gillespie of Harris County.

To be members of the Board of Trustees for the Blind Institute: C. D. Johns of Travis County, E. J. Byrne of Travis

County, M. T. Fowler of Travis County, and O. D. Parker of Travis County.

To be members of the Southwestern Insane Asylum Board at San Antonio, G. L. Maverick and Gus Zalmanzig of Bexar County.

To be a member of the Confederate Home Board of Managers, R. O. Harris of San Saba County.

To be a member of the State Dental Board of Examiners, W. H. Scherer of Harris County.

To be a member of the Board of Managers for the Deaf, Dumb and Blind Institute for Colored Youths, Rev. Joshua Phipps of Travis County.

To be a member of the Board of Trustees for the Institution for the Training of Juveniles at Gatesville, Mrs. M. Cavitt of Coryell County.

To be Pilot Commissioners at Galveston, R. Waverly Smith and C. N. Rhode of Galveston County.

To be members of the State Veterinary Board, A. E. Flowers of Dallas County, and J. W. Burby of Bexar County.

To be Chief Justice of the Eighth Supreme Judicial District, Hon. James R. Harper of El Paso County.

To be members of the Board of Regents for the State Normal Schools, Hon. W. H. Fuqua of Potter County, Hon. Peter Radford of Parker County, Hon. A. C. Goeth of Travis County, Hon. Walter J. Crawford of Jefferson County.

To be members of the State Text-book Board, W. F. Doughty of Falls County, L. T. Cunningham of Jones County, John F. O'Shea of Williamson County, Gus F. Urbanke of Washington County, C. E. Evans of Hays County, F. V. Garrison of Hopkins County, Frank Kandanka of Burleson County, Mrs. Ella F. Little of Bell County, L. Z. Timmons of Jack County.

To be Chief Justice of the Seventh Supreme Judicial District, Hon. S. P. Huff of Wilbarger County.

IN THE SENATE.

(Senator Hudspeth in the chair.)

ADJOURNMENT.

On motion of Senator Johnson the Senate, at 6:07 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

APPENDIX.

PETITIONS AND MEMORIALS.

By Senator Townsend:

Whereas, The Methodist Episcopal Church, South, as well as all evangelical churches, is opposed to promiscuous dancing, because it is a diversion that cannot be taken in the name of the Lord Jesus, and therefore, hurtful to spiritual life and a menace to good morals; and,

Whereas, The State Capitol is the property of all the people of Texas; therefore, be it

Resolved by the Texas Conference, That we earnestly protest against the holding of inaugural balls or any other sort of balls in the said State Capitol of Texas.

Signed: J. T. Smith, A. A. Wagnon, J. B. Turrentine, W. H. Vance, C. W. Hughes, Sam R. Hey, W. W. Watts, W. H. Crum, H. B. Smith, E. L. Shutts, Albert Little, I. F. Betts, M. N. Terrell, B. C. Ansley, Charles U. McCarty, R. H. Lewelling, A. P. Bradford, J. R. Ritchie, F. M. Boyles, A. S. Whitehurst, R. A. Burroughs, J. U. Birgin, D. H. Hotchkiss, W. L. Pate, J. M. Mill, O. F. Zimmerman, C. M. Myers and Eugene W. Potter.

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, Jan. 20, 1913.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

Senate bill No. 37, A bill to be entitled "An Act granting permission to Philip H. Fall, Charles P. MacGill and the heirs of E. B. Nichols, deceased, to bring suit in the District Court of Travis county, Texas, to ascertain, adjudicate, fix and establish their claims against the State of Texas, as owners and holders of certain claims and bonds therein mentioned, and declaring an emergency,"

Have had the same under consideration and I am instructed to report same back to the Senate with the recommendation that it do pass.

BRELSFORD, Chairman.

Committee Room,
Austin, Texas, Jan. 20, 1913.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

Senate bill No. 45, A bill to be entitled

"An Act more clearly defining some of the duties of the Attorney General, district and county attorneys of this State, and imposing other and additional duties upon such officers and prohibiting the Attorney General from giving counsel and advice except to certain public officers named, and declaring an emergency,"

Have had the same under consideration and I am instructed to report same back to the Senate with the recommendation that it do pass.

BRELSFORD, Chairman.

Committee Room,
Austin, Texas, Jan. 20, 1913.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 5, A bill to be entitled "An Act to provide for the suspension of sentence in certain cases of conviction of felony for first offenses, upon the recommendation of the jury, and for submission of the issue to the jury by the court, and to provide the duration of the suspension of sentence and for pronouncing sentence after suspension thereof in case of final conviction of the defendant of any other felony, cumulating punishment in such cases, and for granting a new trial after suspension and dismissal of the case in certain events after suspension, and to repeal all laws and parts of laws in conflict herewith, and providing for an emergency,"

Have had the same under consideration and I am instructed to report same back to the Senate with the recommendation that it do pass, with the following four amendments:

(1)

Amend the bill by adding after the word "defendant," in line 5, of Section 1, the following: "which shall be sworn to and filed before the trial begins."

(2)

Amend the bill by adding at the end of Section 1 the following: "or any other State. This act is not to be construed as preventing the jury from passing on the guilt of innocence of the defendant, but he may enter his plea of not guilty at the same time with said affidavit."

(3)

Amend the bill by adding after the word "penitentiary," in line 7, of Sec-

tion 1, the following: "and in all cases where defendant is charged with felonies other than those named in Section 1 hereof, when the defendant has no counsel, it shall be the duty of the court to inform the defendant of his right to make such application, and the court shall appoint counsel to prepare and present same if desired by defendant."

(4)

Amend the bill by adding after the word "defendant," in line 2, of Section 2, the following: "to enable the jury to determine whether to recommend the suspension of sentence."

MORROW, Chairman.

Committee Room,
Austin, Texas, Jan. 17, 1913.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Insurance, Statistics and History, to whom was referred

Senate bill No. 7, A bill to be entitled "An Act authorizing the incorporation of mutual hail insurance companies, regulating the business of such companies, providing for the investment of reserve fund, requiring annual reports and fixing the fees to be paid by such companies and declaring an emergency,"

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

WATSON, Chairman.

Committee Room,
Austin, Texas, Jan. 18, 1913.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 38, A bill to be entitled "An Act defining livestock commission merchants, requiring such merchants to give bond, imposing penalty for pursuing occupation of livestock commission merchants when bond has not been made, providing that suits may be bought on such bonds, fixing the venue of such suits, repealing all laws in conflict, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

MORROW, Chairman.

Committee Room,
Austin, Texas, Jan. 18, 1913.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 53, A bill to be entitled "An Act to prohibit any person from purchasing from the inmates of the Texas Confederate Home any article of clothing furnished to said inmates by the State of Texas, and to provide a penalty therefor,"

Have had the same under consideration and I am instructed to report same back to the Senate with the recommendation that it do pass.

CONNER, Chairman.

Committee Room,
Austin, Texas, Jan. 18, 1913.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 39, A bill to be entitled "An Act to amend Article 199, Chapter 2, Title 7, of the Penal Code of the State of Texas,"

Have had the same under consideration and I am instructed to report same back to the Senate with the recommendation that it do pass, with the following amendment: By striking out "Article 199," and insert in lieu thereof "Article 302."

CONNER, Chairman.

Committee Room,
Austin, Texas, Jan. 18, 1913.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 23, A bill to be entitled "An Act to amend the Revised Penal Code of the State of Texas of 1911, being Chapter 8, Title 11, by adding thereto Article 622a, making it a misdemeanor for any minor to enter or remain in any saloon or place where intoxicating liquors are sold or to purchase any intoxicating liquors, and fixing the punishment therefor and declaring an emergency,"

Have had the same under consideration and I am instructed to report same back to the Senate with the recommendation that it do pass with amendment.

Amend by striking out the words

"two hundred and fifty dollars" and inserting in lieu thereof "fifty dollars."

CONNER, Chairman.

Committee Room,
Austin, Texas, Jan. 18, 1913.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 51, A bill to be entitled "An Act to prohibit falsely stating the consideration in any deed, deed of trust, mortgage or other instrument in writing transferring or affecting the title to real or personal property for the purpose of defrauding another, or for the purpose of aiding some other person to defraud another, and prescribing the penalty for the violation of this act, and to regulate the manner of proof in prosecutions against persons charged with a violation of this act,"

Have had the same under consideration and I am instructed to report same back to the Senate with the recommendation that it do pass.

CONNER, Chairman.

Committee Room,
Austin, Texas, Jan. 18, 1913.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred Simple Resolution by Westbrook and Collins, beg leave to report it back to the Senate with the recommendation that it do pass; but as it contains the same as House Concurrent Resolution No. 2, we ask that it be not printed.

CONNER, Chairman.

Committee Room,
Austin, Texas, Jan. 18, 1913.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 43, A bill to be entitled "An Act to amend Article 7379, Chapter 2, Title 126, of the Revised Civil Statutes of 1911, relating to the gross receipts tax, based upon gross receipts of wholesale dealers in or distributors of intoxicating liquors and 'wholesale dealer' being defined so as to include every individual, company, corporation selling intoxicating liquors both to retail dealers, or delivering on consignment to their agents for retail, and to consumers where it is not to be drunk on the premises,

and providing that the tax be based upon the combined sales to both retail dealer and consumer as above stated, and also providing for the keeping of a plain, legible record of such sales, and providing for inspection of such records by the proper officer, and providing a penalty for a violation to keep a record of such sale, and declaring an emergency,"

Have had the same under consideration and I am instructed to report same back to the Senate with the recommendation that it do pass.

CONNER, Chairman.

Committee Room,
Austin, Texas, Jan. 18, 1913.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred House Concurrent Resolution No. 2, a resolution endorsing the Sheppard-Kenyon bill, now pending in Congress, have had the same under consideration and I am instructed to report same back to the Senate with the recommendation that it do pass.

CONNER, Chairman.

Committee Room,
Austin, Texas, Jan. 18, 1913.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 36, A bill to be entitled "An Act to enlarge the jurisdiction of the County Court of Harris County for civil cases so as to confer upon it in addition to the jurisdiction now vested in said court, jurisdiction over misdemeanor criminal cases, and to change the name of the said County Court of Harris County for Civil Cases and providing for the transfer of misdemeanor criminal cases now pending upon the docket of the Criminal District Court of Harris County to the docket of the said County Court and providing for the compensation of the Judge of said court, and providing that the Clerk of the Criminal District Court of Harris County shall attend upon said County Court in all criminal matters, and declaring an emergency,"

Have had same under consideration and I am instructed to report same back to the Senate with the recommendation that it do pass.

CONNER, Chairman.

Committee Room,
Austin, Texas, Jan. 18, 1913.

Hon. A. B. Davidson, President of the
Senate.

Sir: Your Judiciary Committee No.
2, to whom was referred

Senate bill No. 52, A bill to be entitled
"An Act to prohibit any person from
knowingly selling or giving intoxicating
liquors to any inmates of the Texas

Confederate Home, except upon the
written consent of the Superintendent
of said Home, or upon the prescription
of a physician, and providing a penalty
therefor,"

Have had the same under considera-
tion and I am instructed to report same
back to the Senate with the recom-
mendation that it do pass.

CONNER, Chairman.

**In Memory
of
Hon. George C. Pendleton**

Senator Taylor offered the following resolution:

Whereas, Hon. George C. Pendleton, the former presiding officer of this body, was called to his eternal reward on the 19th day of January, A. D., 1913; and

Whereas, The State has lost a citizen, loyal in peace and war; a man clean in his private life, and courageous and painstaking in public service; and

Whereas, He is the only man ever enjoying the distinction and honor of presiding over both the House and the Senate of the Legislature of the State of Texas; therefore, be it

Resolved, That we tender to his family our most sincere sympathy, and as evidence thereof that a copy of this resolution, properly attested by the Presiding Officer and Secretary of this body, be forwarded to his beloved wife, and that a page of the Senate Journal be set apart and dedicated to his memory; be it further

Resolved, That when the Senate adjourns for the day it do so in honor of this distinguished soldier, statesman and citizen.

The resolution was read and unanimously adopted by a rising vote.